

Third

Agency

Rule

State Dept. declassification & release instructions on file

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D-R-A-F
23 February 1956

MEMORANDUM FOR: Ad-Hoc Subcommittee on Information Processing

SUBJECT: Staff Study on the Third Agency Rule

1. PROBLEM:

To modify internal IAC practice in the dissemination and reproduction of classified information by other than originating agencies to assure effective support of intelligence research and operations.

2. FACTS BEARING ON THE PROBLEM:

Executive Order #10501, Sect. 7, par (c) limits receiving agency reproduction and dissemination of classified information as follows:

- (c) "Information Originating in another Department or Agency. Except as otherwise provided by section 102 of the National Security Act of July 26, 1947, c. 343, 61 Stat. 498, as amended, 50 U.S.C. sec. 403, classified defense information originating in another department or agency shall not be disseminated outside the receiving agency without the consent of the originating department or agency. Documents and material containing defense information which are classified Top Secret or Secret shall not be reproduced without the consent of the originating department or agency."

3. DISCUSSION:

- a. "Consent of the originating department or agency" for both dissemination and reproduction is the key phrase in the above order, and it seems likely that the wording was expressly designed with the object of facilitating - whenever it should be desirable - the achievement of interagency agreements in the form of blanket authorizations for dissemination and reproduction under mutually acceptable restrictions. Such an agreement appears now to be operative among the three service agencies within the Department of Defense, as each of them is able to provide document services to the two others. During 1955 State, Army, Navy and Air Force

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all formally agreed that CIA might provide microfilm copies of their documents to the National Security Agency.

- b. This paper proposes an exchange of blanket agreements between member agencies of the Intelligence Advisory Committee which will authorize, under the consent provisions of the above Executive Order, dissemination of the principal categories of IAC-produced information reports and finished intelligence studies by receiving agencies to third agencies of the IAC community. The purpose of these agreements shall be to guarantee to properly accredited IAC intelligence officers prompt access to all intelligence information, regardless of originating Agency, which central reference facilities anywhere in the IAC indicate to be of possible relevance to their intelligence projects.
- c. With respect to the reproduction of documents originating with another IAC agency, the proposed agreements shall also provide that: "whenever a reference facility in any one of the IAC agencies has specified to an accredited intelligence officer of another IAC agency titles of intelligence documents which from their subject codes appear relevant to his problem, that agency shall be authorized to provide him for inspection or for retention the full text of each such document. If retention is specified the supplying agency may reproduce the document at its discretion. However, retention copy shall be delivered to the home office of the requester through established ~~inter~~-agency channels and in accordance with the security limitations imposed by the originating agency on each document concerned. In addition, the circumstances of reproduction shall be fully recorded and the record kept available for inspection upon request by the agency which originated the document."

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d. The following are the principal arguments in support of these proposals:

- 1) No change whatsoever is proposed in the regulations governing security classification of documents, nor in the regulations of any IAC agency relating to accreditation of IAC intelligence officers for purposes of inter-agency research, nor in the penalties which apply to misuse of classified documents.
- 2) The proposals establish the principle that authorization to the intelligence officer of one IAC agency to use the reference facilities of another constitutes establishment of an equivalent "research need to know" and positively commits the latter agency to afford timely access to its information, using all available facilities for rapid reproduction and dissemination.
- 3) With respect to reproduction of classified documents, the proposed agreement takes account of the fact that manual systems of storage and retrieval of hard-copy documents can no longer satisfy intelligence time schedules. Instead, the agreement would recognize a technological breakthrough in the field of document control through application of the latest film and electronic devices. In many new systems reproduction is a basic premise of operation and henceforth must and can be properly utilized without confusion with security concepts and practices.

e. The U. S. intelligence agencies have spent or committed large sums of money since World War II to develop systems for indexing, storage and rapid retrieval of intelligence documents. These systems are intended to provide intelligence officers with:

- 1) faster and more comprehensive searches of large numbers of intelligence documents.
- 2) protection against duplication of collection and research effort.
- 3) economy in the research effort of highly trained personnel by minimizing preliminary, often manual and clerical steps necessary heretofore in assembling source materials for intelligence purposes.

The practical effect of existing regulations concerning document reproduction and dissemination is to delay inter-agency realization of these objectives. This may be seen in current IAC use of CIA's central reference facilities. CIA's Intellofax System has been, up to the present time, the most highly developed reference system in the IAC. The Intellofax file can provide references to most of the documents of any IAC agency, published since 1948, and concerning any one of many hundreds of intelligence subjects.

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It can provide, on relatively short notice, comprehensive listings of the titles of all documents dealing with subjects specified as of interest to the requester. The CIA or other IAC analyst who undertakes to employ this facility must first have proved his need to know and established his security accreditation. Once the product of the Intellofax search is delivered, the CIA officer may request inspection or retention copy of every document listed regardless of source and according to his own deadline stipulations. The requester from another IAC Agency, however, must return to his home document control system and request access to documents, as a rule, involving several or all of the following measures:

- 1) request search of the system's hard copy document files,
- 2) arrange for recall of copies of documents on loan at the time,
- 3) arrange for access to complete copies (including all enclosures) in action offices in the case of relatively current documents,
- 4) submit inter-library loan requests for documents produced by other IAC agencies which have not been received, or, more frequently, not preserved by his organization,
- 5) arrange to visit source agencies to consult documents of which record copy only is available and for which the agencies will not afford reproduction costs.

The net result of the process under these circumstances is readily predicted. The analyst's deadline will have arrived long before the last Intellofax reference becomes available to him.

- f. The exchange of blanket authorizations to disseminate and reproduce IAC documents would not establish standards as to copy service or allocation of costs among consumers. Presumably reciprocal service arrangements would be practical where traffic is heavy, otherwise the requesting agency might expect to bear full cost of service.

4. CONCLUSIONS:

Modification of IAC practice regarding the Third Agency Rule is urgently needed to insure reasonable access for intelligence officers to present

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and prospective IAC systems for cooperative indexing, storage and retrieval of intelligence documents.

5. RECOMMENDATION:

That the Ad Hoc Subcommittee on Information Processing endorse an agreement among the IAC agencies which will grant blanket consent to authorized components of the intelligence agencies to disseminate and reproduce IAC documents to third (IAC) agencies without the specific approval of the originating agency.

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D-R-A-F-T
6 March 1956

TO:

SUBJECT: Staff Study on Regulations Limiting the Reproduction and
Dissemination of Classified Intelligence Documents

1. PROBLEM:

With the object of ensuring effective support of the intelligence research efforts of the IAC agencies, to obtain their mutual consent in the modification of restrictions, currently in effect, which curtail the reproduction, and subsequent dissemination within the IAC community, of classified information by other than the originating agency.

2. FACTS BEARING ON THE PROBLEM:

- a. Executive Order No. 10501, Section 7, paragraph (c) (see and Annex A, Item 1), DCID No. 11/2, paragraph 1 (see Annex A, Item 2) prohibit the reproduction and dissemination within the intelligence community of classified information without the consent of the originating agency.
- b. Precedents constituting partial consent to a mutual agreement in this area have been established in the intelligence community.
- c. No changes are contemplated regarding the existing regulations which govern security classification of documents, accreditation of intelligence officers for purposes of inter-agency research or penalties imposed for misuse of classified documents.

3. DISCUSSION:

In order to accomplish their respective missions, intelligence components of the IAC agencies require constant and convenient access to the classified information produced and distributed throughout the intelligence community, a need which, per se,

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implies mutual exchange and exploitation of this material on the part of IAC representatives.

The conditions imposed in Executive Order No. 10501, Section ;, paragraph (c), and DCID No. 11/2, paragraph 1, as they are now interpreted among the IAC agencies, constitute a serious impediment to the rapid and efficient servicing of a large proportion of the requirements of IAC intelligence researchers, viz., those which involve classified materials originating in IAC departments other than that of the requester. For example, whereas a CIA requesting office can procure directly and promptly from the CIA Library all documentary material needed for the solution of a research problem, the non-CIA requester may receive only a listing of references to intelligence information produced by various IAC agencies which he must seek out and borrow on a single-document basis from the originating departments,--despite the fact that he represents an office which conducts intelligence research exclusively on a "need-to-know" basis, operates under security and clearance requirements comparable with those of any other IAC agency, and which, by virtue of its status within the IAC, is committed to serve certain common aims and to display the same mutual trust required of all IAC members. The net result of the process under these circumstances is readily predicted: the visiting analyst's deadline will have arrived long before the last reference becomes available to him. It would be impossible to accurately estimate the detriment to the research program of the intelligence community caused by delays, duplication of effort and outright gaps in vital information directly attributable to this restriction.

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The prohibition, however, indisputable, stated in Executive Order No. 10501 concerning the reproduction and free dissemination of classified information is, in fact, qualified by a phrase (viz., "without the consent of the originating department or agency") which could, were the IAC agencies to agree upon its more liberal interpretation, provide the necessary remedy for the problem at hand. Mutual consent on the part of those agencies to grant blanket permission for the reproduction of their normally distributed classified data (with the exception of information designated Top Secret) and its dissemination to authorized recipients within the IAC complex, would combine the dual advantage of preserving the spirit of the Order, which was undoubtedly issued with the intention of facilitating such cooperative action, and of eliminating the superficial barrier now obstructing vital research projects being conducted within the IAC.

Another critical aspect of the problem becomes apparent with the realization that, because manual systems of storage and retrieval of classified documents can no longer meet intelligence time schedules, large sums of money have already been invested or committed for the development of microphotographic and electronic systems of indexing, storing and retrieving published intelligence materials. In the operation of every new control system, conversion of documents to film for future reproduction has become a basic premise. The purpose of these techniques is to provide intelligence officers with:

- a. faster and more comprehensive searches of large numbers of intelligence documents;

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- b. protection against duplication of collection and research effort; and
 - c. economy in research efforts, by minimizing preliminary (often manual and clerical) steps heretofore necessary in assembling source materials for intelligence purposes.

The practical effect of existing regulations concerning document reproduction and dissemination is to delay inter-agency realization of these objectives.

It must be further acknowledged that efficient planning for vital storage programs, including provisions for alternate emergency relocation and command centers, and modern record retirement programs, presupposes utilization of the most modern methods of document control.

The impracticability of attempting to assure timely and effectual utilization of intelligence information, while simultaneously invalidating the conditions necessary to attain this end, has already been recognized and, to some extent, acted upon, in that the three service agencies of the Defense Department are now permitted mutual exchange of classified documents and, during 1955, a formal agreement was concluded among Army, Navy, Air Force and State Department whereby CIA was authorized to supply copies of the classified documents of those departments to the National Security Agency. Our intended proposal, therefore, represents nothing more than realistic expansion of a policy already sanctioned in part by several IAC agencies.

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It is essential, therefore, than an exchange of agreements be secured from the IAC agencies which will grant mutual authority to reproduce intelligence documents originating in any member agency and to disseminate IAC-produced information reports and finished intelligence studies, upon request, among duly accredited offices within the IAC. Implicit under the terms of such an agreement is the basic assumption that all participating IAC components conduct their intelligence research operations exclusively on a "need-to-know" principle, meet comparable security clearance requirements, and observe common regulations governing the manipulation and storage of classified materials. It is likewise understood that the adoption of such a proposal would not alter the present "hard copy" distribution of documents nor preclude the levying of requirements, when feasible, upon originating agencies for additional hard copies of documents.

Acknowledging the uniquely sensitive nature of intelligence materials produced by the Federal Bureau of Investigation and in the security areas of the IAC agencies, the agreement would exempt all documents originated by these offices from the treatment otherwise permissible under its terms.

4. RECOMMENDATION:

That the Ad Hoc Subcommittee on Information Processing favorably endorse the attached agreement (Annex B) which, subject to certain minimal controls and conditions, grants the IAC member agencies blanket authority to reproduce classified documents originating in any one of the IAC agencies and to disseminate IAC-produced

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intelligence reports among accredited offices within the community,
and submit said agreement to the Intelligence Advisory Committee
for their review and concurrence.

ANNEXES:

- a. Excerpts from Executive Order No. 10501 and DCID No. 11/2.
- b. Terms of the Agreement, as Proposed.

CONCURRENCES:

ACTION BY APPROVING AUTHORITY:

APPROVED:

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EXCERPTS FROM PERTINENT ORDERS AND DIRECTIVES

ITEM 1

Executive Order No. 10501, paragraph (c).

"(c) 'Information Originating in another Department or Agency. Except as otherwise provided by section 102 of the National Security Act of July 26, 1947, c. 343, 61 Stat. 498, as amended, 50 U.S.C. sec. 403, classified defense information originating in another department or agency shall not be disseminated outside the receiving agency without the consent of the originating department or agency. Documents and material containing defense information which are classified Top Secret or Secret shall not be reproduced without the consent of the originating department or agency.' "



ITEM 2

Directive of Central Intelligence Directive No. 11/2.

"1. Classified or controlled intelligence and information originating in another department or agency will not be disseminated or used outside the receiving agency without permission of the originating agency except as provided in paragraph 7, NSCID No. 1, and paragraphs 5 and 6 of this Directive."

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AN AGREEMENT

Among the Member Agencies of the Intelligence Advisory Committee
Regarding Reproduction and Dissemination of Classified Documents
by Other than Originating Agencies.

With the sole purpose of guaranteeing to any properly accredited IAC intelligence officer prompt access to all available intelligence data, regardless of origin, which reference facilities within the IAC community indicate to be relevant to his duly authorized intelligence research projects,

the IAC agencies, ~~acting both separately and jointly,~~ ^{here by} agree ^{with each other that they do consent} to grant blanket permission to the intelligence components

of any member agency for the reproduction of classified documents originating in any other member agency, and for the dissemination of these documents to accredited officials within the IAC, such reproduction and dissemination to be carried out at the discretion of the component in question and without the specific approval of the originating office.

PROVISOS:

Exercise of the privileges granted in said agreement is to be governed by the following special conditions:

- a. Information classified Top Secret, as well as reports produced by the Federal Bureau of Investigation and the several security offices comprised within the IAC community, are excluded in toto from the category of data to be reproduced or further disseminated.

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- b. Requesting offices are entitled to receive the information defined herein as essential to their research activities only through standard liaison channels, and then only through representatives who have satisfied security clearance requirements mutually acceptable throughout the IAC and established the "need-to-know" basis of their research.
- c. Acceptance of the terms of this agreement shall not alter the "hard copy" distribution of documents as currently practiced, nor preclude the levying of requirements upon originating agencies for additional hard copies of documents.
- d. The method of transmittal and subsequent control of the documents involved will be in accordance with the security classifications and special controls designated by the originating agency.
- e. The circumstances of reproduction shall be fully recorded, and this record kept available for inspection, upon request, by the originating agency.

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Department of State
Washington, D.C.

Administrative Circular No. 122
June 14, 1957

SUBJECT: Authorization for IAC Agencies to Reproduce Certain State Documents

1. Under provisions of Section 7, paragraphs (a) and (c) of Executive Order 10501, November 5, 1953, the Department hereby authorizes any agency which is a member of the Intelligence Advisory Committee (IAC) to reproduce for its own use, or for the use of another IAC agency: (1) Intelligence Reports published by the Department's Intelligence Area which do not bear either or both a restrictive distribution or access indicator, and (2) Department of State documents such as telegrams, despatches and instructions the highest classification of which is SECRET and which bear a notation on their face that they were supplied on original distribution to the Department's Office of Libraries and Intelligence* (OLI), the Central Intelligence Agency (CIA), Army, Navy, and Air. Documents in this latter category which do not show (on the face thereof) distribution to all of these agencies may not be reproduced by a recipient agency without the specific prior approval of the Department of State.
2. In accordance with the provisions for proper accountability in Executive Order 10501, the Department will require:
 - a. That each IAC agency maintain a separate record of the SECRET documents and another of the documents of lower classification (including administratively controlled documents which are not subject to Executive Order 10501) which it reproduces for its own use or for the use of the other IAC agencies. These records should not only identify the documents reproduced, but they also should specify the date and the number of copies reproduced and their distribution outside the reproducing agency.
 - b. That copies of these accountability records be submitted on a monthly basis for the information of the Department directed to the attention of the Chief, Division of Records Management, (RM).

(I/R)

State - FD, Wash., D. C.

*Office of Libraries and Intelligence-Acquisition, (OLI)

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2. In accordance with the provisions for policy accountability in Executive Order 10501, the Department will require:
 - a. That each IAC agency maintain a separate record of the SECRET documents and another of the documents of lower classification (including administratively controlled documents which are not subject to Executive Order 10501) which it reproduces for its own use or for the use of the other IAC agencies. These records should not only identify the documents reproduced, but they also should specify the date and the number of copies reproduced and their distribution outside the reproducing agency.
 - b. That copies of these accountability records be submitted on a monthly basis for the information of the Department directed to the attention of the Chief, Division of Records Management, (RM).

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State - Mr. Wash., D. C.

*Office of Libraries and Intelligence-Acquisition, (OLI)

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12 August 1957

MEMORANDUM FOR: The Secretary, IAC

SUBJECT : Reproduction of Material Originated in Another IAC Agency

Introduction

On 11 June 1957 the Intelligence Advisory Committee noted and approved the following paragraph 2 of the Second Annual Report of the IAC Ad-Hoc Subcommittee on Information Processing as a temporary procedural guide:

"In order to handle intelligence reference data by Minicard and other machines and equipment of advanced design, the member Agencies of the Intelligence Advisory Committee are agreed among themselves that each of them may perform reproduction for themselves, or for each other, of foreign intelligence and intelligence information, originally issued by any of them, provided that in every case the document was originally given general distribution to all IAC member agencies, or originally was placed on a reading panel for all IAC member agencies to select from if they chose so to do."

The approval was subject to further review by AHIP and presentation of specific recommendations in this field for consideration by the IAC at a subsequent meeting. In compliance with this direction the following Staff Study is submitted:

1. Problem

a. New machine techniques and equipment for the handling of large masses of intelligence data are now coming into use. The Killian Committee and other groups have recommended that every effort be made to adapt the most advanced types of equipment to the needs of intelligence. New devices and systems are being developed each year for the purposes of information storage, retrieval, and computation, and each year will see more of them in use in the IAC community.

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b. All these new types of equipment involve extensive reproduction of the data which are fed into them. In many types the raw data must first be coded and then handled electronically or magnetically in numerical or binary digital form. In others the data are reproduced photographically, and this is most notably the case with the Minicard system which is now being installed in AFM and CIA. Each agency which makes use of advanced equipment will be required to reproduce reports originated by other agencies of the IAC community and, unless blanket permission is granted in advance, the resulting procedures will be cumbersome and impractical to implement.

2. Facts Bearing Upon the Problem

a. Executive Order 10501, Safeguarding Official Information in the Interests of the Defense of the United States, in Section 7, Accountability and Dissemination, reads as follows:

"Knowledge or possession of classified defense information shall be permitted only to persons whose official duties require such access in the interest of promoting national defense and only if they have been determined to be trustworthy. Proper control of dissemination of classified defense information shall be maintained at all times, including good accountability records of classified defense information documents, and severe limitation on the number of such documents, originated as well as the number of copies thereof reproduced. The number of copies of classified defense information documents shall be kept to a minimum to decrease the risk of compromise of the information contained in such documents and the financial burden on the Government in protecting such documents. The following special rules shall be observed in connection with accountability for and dissemination of defense information or material:

.....

"(c) Information Originating in Another Department or Agency:

"Except as otherwise provided by section 102 of the National Security Act of July 26, 1947, c. 343, 61 Stat. 498, as amended 50 U.S.C. sec. 403, classified defense information originating in another department or agency shall not be disseminated outside the receiving department or agency without the consent of the originating department or agency. Documents and material containing defense information which are classified Top Secret or Secret shall not be reproduced without the consent of the originating department or agency."

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b. Section 102 of the National Security Act reads in part:

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"(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council ----

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"(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities."

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c. A Working Group on Reproduction Needs of Advanced Equipment for Information Storage and Retrieval was designated by the Ad Hoc Sub-Committee on Information Processing. An extract from the Final Report of that Working Group dated 10 July 1956, Subject: Minicard and the Application of the "Third Agency Rule" is as follows:

"In order to handle intelligence reference data by Minicard and other machines and equipment of advanced design, the member Agencies of the Intelligence Advisory Committee are agreed among themselves that each of them may perform reproduction for themselves, or for each other, of foreign intelligence and intelligence information, originally issued by any of them, provided that in every case the document was originally given general distribution to all IAC member agencies, or originally was placed on a reading panel for all IAC member agencies to select from if they chose so to do.

"In order to continue to safeguard all sensitive or other limited-dissemination material falling within the spirit of the "Third Agency Rule", the member agencies are agreed among themselves that such material will bear a special warning stamp which will exclude its reproduction into the Minicard or any other cooperative data handling system at all times."

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The Department of State in a memorandum dated 8 October 1956, Subject: "Authorization for IAC Agencies to Reproduce Certain State Department Documents", accepted the proposal and added the following proviso covering the reproduction of documents:

- "1. That each IAC agency maintain a separate record of the SECRET documents and another of the documents of lower security classification which it reproduced for its own or for the use of the other IAC agencies. These records should not only identify the documents reproduced but should also specify the date and the number of copies reproduced and their distribution outside the reproducing agency.
- "2. That copies of these records be submitted for the information of the Department on a monthly basis."

d. A copy of Department of State "Administrative Circular No. 122 dated June 14, 1957" implementing this agreement is attached.

3. Discussion

a. Executive Order 10501 Section 7, (c), implies recognition of an exception regarding the dissemination and reproduction of classified defense information originating in another department or agency by the Central Intelligence Agency. In the past the Agency has followed the practice of obtaining the consent of the originating Agency prior to dissemination of that material to another department or agency. Such material has been microfilmed in order to accomplish the initial supply and subsequent retrieval necessary for intelligence production. Recognition of the ability to retrieve rapidly is evidenced by the large number of requests for the interchange of copies of documents by members of the community.

b. It is evident from the tenor of the National Security Act of 1947, the Executive Order 10501, and the NSCIDs that there should be a free and continuing interchange of intelligence and information within the Intelligence Community.

c. To accomplish this in a dexterous manner requires that all the IAC Member Agencies be able to reproduce and disseminate the intelligence and information in their respective files as necessary in the interests of the national defense.

d. It should be noted that Executive Order 10501, Section 7, (c) requires the consent of the originating agency when reproducing Top Secret and Secret material, thus implying that there is no prohibition of reproduction of Confidential material, Administratively Controlled material or Unclassified material.

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4. Recommendations

a. That the IAC approve as permanent procedure the AHIP agreement as set forth in its Second Annual Report and restated below as 1.

b. That the paragraph shown below as 2 be included in the approval of this policy:

1. "In order to handle intelligence reference data by Minicard and other machines and equipment of advanced design, the member agencies of the Intelligence Advisory Committee are agreed among themselves that each of them may perform reproduction for themselves, or for each other, of foreign intelligence and intelligence information, originally issued by any of them, provided that in every case the document was originally given general distribution to all IAC member agencies, or originally was placed on a reading panel for all IAC member agencies to select from if they chose so to do."
2. "In order to continue to safeguard all sensitive or other limited-dissemination material falling within the spirit of the "Third Agency Rule", the member agencies are agreed among themselves that such material will bear a special warning stamp which will exclude its reproduction into the Minicard or any other co-operative data handling system at all times."



Chairman, AHIP

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Attachment

Dept. of State copy of "Administrative Circular No. 122 dated June 14, 1957"

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4 September 1957

MEMORANDUM FOR: Chairman, Intelligence Advisory Committee
FROM: Chairman, IAC Ad-Hoc Sub-Committee on Information Processing
SUBJECT: Inter-Agency Arrangements for Reproduction of Intelligence Information

1. In its discussion of the Second Annual Report of ABIP the IAC asked for further review of "the extent of restrictions or limitations on reproduction of intelligence" by IAC Agencies.

2. ABIP accordingly submits herewith its review of the principal regulations bearing on such reproduction. Also cited, in extension of its Second Annual Report, is paragraph 2 of the complete ABIP agreement which specifies the procedure IAC Agencies may employ to exclude any reproduction whatsoever of sensitive or other limited-dissemination material. TOP SECRET materials are, of course, separately controlled and, therefore, are not affected by this ABIP policy.

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Enclosures:

Memo for Chairman, IAC dated 4 Sept. 1957 - "Reproduction of Material Originated in Another IAC Agency."

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4 September 1957

MEMORANDUM FOR: Chairman, Intelligence Advisory Committee

SUBJECT : Reproduction of Material Originated in Another IAC Agency

Introduction

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"In order to handle intelligence reference data by Minicard and other machines and equipment of advanced design, the member Agencies of the Intelligence Advisory Committee are agreed among themselves that each of them may perform reproduction for themselves, or for each other, of foreign intelligence and intelligence information, originally issued by any of them, provided that in every case the document was originally given general distribution to all IAC member agencies, or originally was placed on a reading panel for all IAC member agencies to select from if they chose so to do."

The approval was subject to further review by AHIP and presentation of specific recommendations in this field for consideration by the IAC at a subsequent meeting. In compliance with this direction the following Staff Study is submitted:

1. Problem

a. New machine techniques and equipment for the handling of large masses of intelligence data are now coming into use. The Killian Committee and other groups have recommended that every effort be made to adapt the most advanced types of equipment to the needs of intelligence. New devices and systems are being developed each year for the purposes of information storage, retrieval, and computation, and each year will see more of them in use in the IAC community.

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1. All other new types of significant sensitive reproduction of the data which are not otherwise. In many types the raw data must first be copied and then handled electronically or magnetically in numerical or binary digital form. In others the data are reproduced photographically, and this is most notably the case with the Minicard system which is now being installed in ARJIS and CIA. Both systems which make use of advanced equipment will be required to reproduce reports originated by other agencies of the IAC community and unless blanket permission is granted in advance, the resulting procedures will be cumbersome and impractical to implement.

2. Policy Regarding Upon the Problem

a. Executive Order 12356, regarding Official Information in the Interest of the Defense of the United States, in Section 7, Accountability and Dissemination, reads as follows:

"Knowledge or possession of classified defense information shall be permitted only to persons whose official duties require such access in the interest of promoting national defense and only if they have been determined to be trustworthy. Proper control of dissemination of classified defense information shall be maintained at all times, including good accountability records of classified defense information documents, and severe limitation on the number of such documents, originated as well as the number of copies thereof reproduced. The number of copies of classified defense information documents shall be kept to a minimum to decrease the risk of compromise of the information contained in such documents and the financial burden to the Government in protecting such documents. The following special rules shall be observed in connection with accountability for and dissemination of defense information or material:

"(c) Information Originating in Another Department or Agency:

"Except as otherwise provided by Section 102 of the National Security Act of July 26, 1947, c. 343, 61 Stat. 498, as amended 50 U.S.C. sec. 403, classified defense information originating in another department or agency shall not be disseminated outside the receiving department or agency without the consent of the originating department or agency. Documents and material containing defense information which are classified Top Secret or Secret shall not be reproduced without the consent of the originating department or agency."

"(d) For the purpose of coordinating the intelligence activities of the several Government departments and agencies in the interest of national security, it shall be the duty of the Agency, under the direction of the National Security Council _____

"(3) to correlate and evaluate intelligence relating to the national security, and provide for the appropriate dissemination of such intelligence within the Government using where appropriate existing agencies and facilities."

"In order to handle intelligence reference data by Minicard and other machines and equipment of advanced design, the member Agencies of the Intelligence Advisory Committee are agreed among themselves that each of them may perform reproduction for themselves, or for each other, of foreign intelligence and intelligence information, originally issued by any of them, provided that in every case the document was originally given general distribution to all IAC member agencies, or originally was placed on a reading panel for all IAC member agencies to select from if they chose so to do.

"In order to continue to safeguard all sensitive or other limited-dissemination material falling within the spirit of the "Third Agency Rule", the member agencies are agreed among themselves that such material will bear a special warning stamp which will exclude its reproduction into the Minicard or any other cooperative data handling system at all times."

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The Department of State in a memorandum dated 8 October 1956, Subject: "Authorization for IAC Agencies to Reproduce Certain State Department Documents", accepted the proposal and added the following proviso covering the reproduction of documents:

- "1. That each IAC agency maintain a separate record of the SECRET documents and another of the documents of lower security classification which it reproduced for its own or for the use of the other IAC agencies. These records should not only identify the documents reproduced but should also specify the date and the number of copies reproduced and their distribution outside the reproducing agency.
- "2. That copies of these records be submitted for the information of the Department on a monthly basis."

d. A copy of Department of State "Administrative Circular No. 122 dated June 14, 1957" implementing this agreement is attached.

3. Discussion

a. Executive Order 10501 Section 7, (c), implies recognition of an exception regarding the dissemination and reproduction of classified defense information originating in another department or agency by the Central Intelligence Agency. In the past the Agency has followed the practice of obtaining the consent of the originating Agency prior to dissemination of that material to another department or agency. Such material has been microfilmed in order to accomplish the initial supply and subsequent retrieval necessary for intelligence production. Recognition of the ability to retrieve rapidly is evidenced by the large number of requests for the interchange of copies of documents by members of the community.

b. It is evident from the tenor of the National Security Act of 1947, the Executive Order 10501, and the NSCIP's that there should be a free and continuing interchange of intelligence and information within the Intelligence Community.

c. To accomplish this in a deft manner requires that all the IAC Member Agencies be able to reproduce and disseminate the intelligence and information in their respective files as necessary in the interests of the national defense.

d. It should be noted that Executive Order 10501, Section 7, (c) requires the consent of the originating agency when reproducing Top Secret and Secret material, thus implying that there is no prohibition of reproduction of Confidential material, Administratively Controlled material or Unclassified material.

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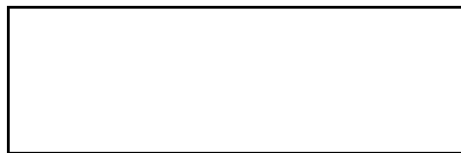
-5-

4. Recommendations

a. That the IAC approve as permanent procedure the ABIP agreement as set forth in its Second Annual Report and restated below as 1.

b. That the paragraph shown below as 2 be included in the approval of this policy:

1. "In order to handle intelligence reference data by Minicard and other machines and equipment of advanced design, the member agencies of the Intelligence Advisory Committee are agreed among themselves that each of them may perform reproduction for themselves, or for each other, of foreign intelligence and intelligence information, originally issued by any of them, provided that in every case the document was originally given general distribution to all IAC member agencies, or originally was placed on a reading panel for all IAC member agencies to select from if they chose so to do."
2. "In order to continue to safeguard all sensitive or other limited-dissemination material falling within the spirit of the "Third Agency Rule", the member agencies are agreed among themselves that such material will bear a special warning stamp which will exclude its reproduction into the Minicard or any other co-operative data handling system at all times."



Chairman, ABIP

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Attachment

Dept. of State copy of "Administrative Circular No. 122 dated June 14, 1957"

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IAC-D-95/5
8 October 1957
(Final - IAC Approved)

Policy Statement on Reproduction of Intelligence

Originated in Another IAC Agency

In order for the member agencies to discharge their responsibilities more effectively, and without intent to limit such broader authority or responsibility as any may now have under law or NSC directive, the Intelligence Advisory Committee is agreed:

- a. That each member agency, for purpose of central processing, may reproduce for itself, foreign intelligence and intelligence information originally issued by another.
- b. That such reproduction may be performed for another member agency if the intelligence or information was originally given general distribution to all IAC member agencies, or was otherwise made generally available to them.
- c. That intelligence or information which by reason of sensitivity bears special classifications or is for limited distribution, or which bears a special warning prohibiting reproduction, shall not be so reproduced.

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C-O-N-F-I-D-E-N-T-I-A-L

18 October 1957

**AHHP INSTRUCTIONS IMPLEMENTING IAC POLICY
ON REPRODUCTION OF INTELLIGENCE**

1. These instructions are issued to implement the policy on reproduction of intelligence adopted by the IAC on 8 October (IAC - M - 310, item 4; IAC - D - 95/6).

2. Document copy services performed in the IAC community as a result of IAC policy shall be coordinated and monitored by AHHP through its Standing Group on Inter-Agency Document Loan Services. The Standing Group is instructed to promote the following general objectives and practices:

a. Reproduction by One Agency for Its Own Use:

(1) The IAC document reproduction agreement is enacted to promote the service capabilities of central libraries. Indiscriminate copying of documents by individual analysts or operating officials of IAC agencies is not intended or authorized. Central libraries shall make suitable announcements to this effect.

b. Reproduction by One Agency for use of another.

(1) Document copy service is desirable and to be promoted when an agency, on behalf of any properly accredited IAC staff member, conducts a literature search and produces a bibliography of its document holdings in any subject field in which it has special competence. Having determined pertinent references, it may reproduce them to make them promptly available. The requester shall not be required to make separate requests for the documents to each of the source agencies specified.

(2) Documents produced for retention in another agency shall, ordinarily, be released through IAC inter-library loan channels and the recipient library shall establish loan records for each document and accept responsibility for its recovery and destruction after the document has served its purpose.

(3) The practices of the IAC agencies in handling document masters and extra printed copies shall be standardized to the maximum extent practicable so that the costs of supplemental distribution shall ordinarily be borne by the originating agency.

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(4) Each IAC agency shall promote retrievability of its document enclosures on behalf of IAC requesters. When an agency anticipates any difficulty in making recovery of its enclosures from its own users to satisfy inter-library loan or reproduction requests it shall film the enclosures for its central files at time of initial receipt at Headquarters, or, loan the enclosure to CIA for filming.

(5) The IAC agencies agree on the following general procedure for recall of documents when required by the source agency due to change in sensitivity of contents, error, etc.

- a) all central library film copies shall be destroyed.
- b) all original copies of the document shall be recovered from offices on dissemination, or, certificates of destruction shall be obtained in lieu thereof.
- c) copies reproduced by central libraries under the present agreement shall be recalled from recipients where feasible and, in addition, each agency will henceforth announce recall of documents in a special section of its regarding bulletin, and circulate such listings to all IAC libraries,

c. Ban on reproduction.

(1) Any IAC agency desiring to prohibit reproduction of a document shall employ the term NO REPRODUCTION following each application of the security indicator, e.g.

CONFIDENTIAL - NO REPRODUCTION

SECRET-- NO REPRODUCTION

(2) The IAC Agencies are agreed that the standard caveat prohibiting reproduction and appearing in the format of reports originated by some IAC agencies, of: attachment, shall be eliminated (e.g. current AF and CIA information report forms) or modified to take account of this agreement as soon as existing stocks of report forms are exhausted. The IAC agencies are further agreed that pending the depletion of existing stock such standard caveats prohibiting reproduction are waived within the terms of this agreement.

(3) The IAC agencies are agreed that the use of the "no reproduction" ban on a document does not preclude a request by a recipient agency for its waiver.

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Attachment: Preliminary Survey of IAC Reproduction Caveats.

ACSI "NOTE: Reproduction of this document in whole or in part is prohibited, if SECRET or TOP SECRET, except with permission of the issuing office. All requests for authority to reproduce will be directed to the Assistant Chief, of Staff, G-2, Department of the Army."

DA 1084
1 Oct 53

Navy "NOTE: This Document contains information affecting the national defense of the United States within the meaning of the espionage laws, title 18, U.S.C., Sections 793 and 794. The transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law. Reproduction of this material in any form, by other than defense activities is not authorized except by specific approval of the Chief of Naval Operations (ONI)"

OPNAV
3820-2
Rev. 6-55

Air Force "WARNING: This document contains information affecting the national defense of the United States within the meaning of the Espionage Laws, Title 18, U.S.C., Section 793 and 794. Its transmission or the revelation of its contents in any manner to an unauthorized person is prohibited by law. It may not be reproduced in whole or in part by other than United States Air Force Agencies, except by permission of the Director of Intelligence, USAF."

-a
AF form 112
1 Oct 52
b

AF from 112
15 Sept 54

This form repeats the first two sentences of the preceding caveat and omits the last sentence relating to reproduction.

CIA

CS & OO Both documents carry as part of the printed masthead the same warning statement employed by USAF, from 112, 15 Sept. 1954.

OO Form "This document contains information affecting the national defense of the United States. Within the meaning of Title 18, Sections 793 and 794, of U.S. Code, as amended. Its transmission or revelation of its contents to or receipt by an unauthorized person is prohibited by law. The reproduction of this form is prohibited."

No. 51-4C
Mar 1952

State No caveat.

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IAC-D-95/6
23 October 1957

INTELLIGENCE ADVISORY COMMITTEE

Policy on Reproduction of Intelligence

1. The following chronology of IAC action, bearing on the establishment of an IAC policy on the reproduction by one IAC agency of intelligence originated in another, is for information:

a. Second Annual Report of the ad hoc Subcommittee on Information Processing (IAC-D-95/3).

Action: IAC noted the report and approved section on "Reproduction Needs of Advanced Equipment for Information Storage and Retrieval" as a temporary procedural guide, subject to further review by AHIP and presentation of specific recommendations in this field for IAC consideration (IAC-M-295, item 2).

b. AHIP report dated 4 September 1957, prepared in response to above IAC direction, which report analyzed the "Third Agency Rule" problem and proposed an IAC policy statement on reproduction (IAC-D-95/4).

Action: IAC noted the report and requested a restatement of the policy to avoid possible interpretation that statutory responsibilities were being modified (IAC-M-307, item 4 b).

c. AHIP restatement of policy circulated to the IAC on 26 September (IAC-D-95/5).

Action: On 8 October, the IAC approved the policy, subject to the deletion of the word "machine" in para. a (IAC-M-310, item 4).

2. IAC action on each of the above documents is therefore now complete.

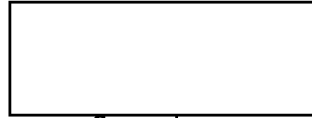
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IAC-D-95/6
23 October 1957

3. A copy of the statement of policy, as approved by the IAC (IAC-D-95/5, 8 October), is attached for the information of the intelligence community and for guidance to the ad hoc Subcommittee on Information Processing.

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Secretary

Attachment

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AHIP-D-3/1
2nd Draft
14 November 1957

INTELLIGENCE ADVISORY COMMITTEE
AD HOC SUBCOMMITTEE ON INFORMATION PROCESSING

Agreement for Implementing
IAC Policy on Reproduction of Intelligence

1. This agreement is to serve to implement the policy on reproduction of intelligence adopted by the IAC on 8 October (IAC - M - 310, item 4; IAC - D - 95/6).

2. Document copy services in the IAC community under the 8 October authorization shall be performed in a manner consistent with the following general objectives and practices:

a. Reproduction by One Agency for Its Own Use

Document reproduction shall promote the service capabilities of the central libraries of the IAC. Indiscriminate copying of documents by individual analysts or operating officials of IAC agencies is not intended or authorized.

b. Reproduction of One Agency for Use of Another

(1) Document copy service is desirable and is to be promoted when an agency, on behalf of any properly accredited IAC staff member, conducts a literature search and produces a bibliography of its document holdings in any subject field in which it has special competence. Having identified pertinent references, it may reproduce them to make them promptly available. The requestor shall not be required to levy separate requests on source agencies for documents originally produced by them.

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AHFP-D-3/1
2nd Draft
14 November 1957

- (2) Documents produced for retention in another agency shall ordinarily be released through IAC inter-library channels. Appropriate records will be kept by the reproducing agency.
- (3) Each IAC agency shall seek to make its document enclosures available to IAC requestors. When an agency anticipates difficulty in making the enclosure itself available, it shall film the enclosure for its central files on initial receipt, or, lend the enclosure to CIA for filming.
- (4) The recall of documents shall be in accordance with established practices.

c. Ban on Reproduction

- (1) Excluded classifications:

Excepted are the reproduction of documents subject to extraordinary security limitations (for example, Restricted Data under the Atomic Energy Act, ELINT, special intelligence.)

- (2) Excluded documents:

Department of the Air Force: none

Department of the Army: none

Department of the Navy: none

Department of State: (adopted from D. of S. Administrative Circular No. 122, June 14, 1957)	Intelligence Reports published by the Department's Intelligence Area which bear either or both a restrictive distribution or access indicator.
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ANIP-D-3/1
2nd Draft
14 November 1957

Department of State (cont'd): Documents ... which do not show (on the face thereof) distribution to all IAC Agencies may not be reproduced by a recipient agency without the specific prior approval of the Department of State.

United States Information Agency: none

Central Intelligence Agency: Information Memoranda
Limited dissemination of TD's
CSCI

(3) Notification of change:

Agencies taking action to add or remove document series from the list of those banned from reproduction shall notify all addressees to whom the material was originally transmitted.

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